



PATENT  
ATTORNEY DOCKET NO.: 040894-5996

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Kozo WADA )  
Application No.: 10/761,385 ) Confirmation No.: 3092  
Filed: January 22, 2004 ) Group Art Unit: 2655  
For: OPTICAL DISK APPARATUS ) Examiner: Unassigned

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(i)**

Pursuant to 37 C.F.R. 1.56 and 1.97(i), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. A copy of the listed documents is attached.

This Information Disclosure Statement is being filed after the events recited in 1.97(d) but, to the undersigned's knowledge, before the grant of a patent. Applicant respectfully requests that this Information Disclosure Statement be considered or at least be placed in the file.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



By: \_\_\_\_\_  
Robert J. Goodell  
Reg. No. 41,040

Dated: January 4, 2007

**Customer No. 009629**

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**INFORMATION DISCLOSURE CITATION**

Attorney Docket No.

Application No.: 10/761,385

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Applicant: Kozo WADA

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(Use several sheets if necessary)

 PTO Form 1449  
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**U.S. PATENT DOCUMENTS**

*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Sub Class	<u>Translation</u>	YES	NO
		JP 2001-23167	Jan. 26, 2001	Japan (with English-language Abstract)					
		JP 2001-307332	Nov. 11, 2001	Japan (with English-language Abstract)					
		JP 2002-8243	Jan. 11, 2002	Japan (with English-language Abstract)					

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.